

**Rules and Regulations of the
Municipal Civil Service Commission**

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RULE XI

PROBATIONARY PERIOD

A. Establishment

Pursuant to the provisions of Section 149(o) of the Charter, the Commission shall establish probationary periods for all positions in the classified service at the time the class is created.

1. The Commission may alter the probationary periods at any time. However, no increase or decrease of a probationary period shall have retroactive effect on employees holding positions in the class affected by the change in the probationary period.

2. Classes with 180 calendar day probationary periods are listed in Appendix A, which is fully incorporated herein.

3. Classes with 270 calendar day probationary periods are listed in Appendix B, which is fully incorporated herein.

4. Classes with 365 calendar day probationary periods are listed in Appendix C, which is fully incorporated herein.

5. Probationary periods for classes not specifically provided for in this Rule, or as amended, shall be 365 days.

6. Probationary periods for classes that are associated with a formal training program may exceed 365 days to ensure that employees have full opportunity to perform the regular duties of the position. Any such extension should not exceed the total days served in the formal training.

7. In the event the title of any class enumerated in this Section is hereafter changed, the probationary period stated above shall apply to the successor class unless otherwise provided by the Commission.

8. Credit for the probationary period shall be given to part-time employees on an hourly basis with forty hours being considered seven calendar days.

B. Special Situations

1. Part-time employees. Credit for the probationary period shall be given to part-time employees on an hourly basis with forty hours being considered seven calendar days.

2. Provisional employees. Provisional employees shall serve the same probationary period as employees receiving original appointments.

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3. Reemployment of former City employees. In all cases where an individual separated from City employment and is returning from a break in continuous City service, a new probationary period must be completed; provided, however, there shall be no new probationary period for permanent employees recalled to work following a layoff.

4. Current employees returning to a class.

a. In all cases where a current employee is returning to a class in which the employee was non-probationary at the time of termination from the position, there shall be an additional probationary period served of 90-days; provided however that there shall be no additional probationary period served if the return to the former class was the result of a layoff.

b. In all cases where a current employee is returning to a class in which the employee was probationary at the time of termination from the position, there shall be a new probationary period served.

5. Voluntary demotions. In the event a permanent employee is taking a voluntary demotion from a class to a lower classification in the same job series, there shall be no additional probationary period served by the employee.

C. Probationary Period Extension

1. In the event that a probationary employee does not perform the regular duties of the position for an extended period (30 calendar days or longer) as a result of sick leave, injury leave, light duty, disability leave, or any other reason, the probationary period may be extended for a period equal to the length of the extended absence from the job.

2. To extend the probationary period, an extension form must be filed with the Commission prior to the original probationary period termination date. The form must be signed by the appointing authority and must identify: the period(s) of absence; the reason(s) therefore; the new probationary termination date if known; and, the method by which a copy of the form was served on the employee. In the event the employee has not resumed normal duties at the time the extension is filed, the extension may be re-filed with a new probationary termination date **prior to** the employee's actual return to normal duties.

D. Probationary Termination

1. The service of any employee may be terminated by the appointing authority at any time during the probationary period by submitting a written report to the Civil Service Commission and the employee specifying the reason the employee is found unsatisfactory and such removal shall be final.

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2. Prior to the end of the probationary period, the appointing authority shall submit a report to the Commission of the decision to make the appointment permanent or to remove such employee with the reason therefor.

3. Failure to make such a report prior to the expiration of the probationary period shall automatically make the appointment permanent.

4. There shall be no appeal of any kind from the action of the appointing authority removing an employee during or at the end of the probationary period.

Amended as of: December 19, 2022
